

William B. Curtis, Esq. (TX SBN 00783918)
(admitted pro hac vice)

CURTIS LAW GROUP

12225 Greenville Ave., Suite 750
Dallas, Texas 75243

Telephone: (214) 890-1000

Facsimile: (214) 890-1010

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

**IN RE: BARD IVC FILTER PRODUCTS
LIABILITY LITIGATION**

This document relates to:

JAIME ROMERO,

Plaintiff,

v.

*C.R. BARD AND BARD PERIPHERAL
VASCULAR, INC.*

Defendants.

MDL No. 2:15-MD-02641-PHX-DGC

Civil Action No. 2:18-cv-00021-DGC

**PLAINTIFF'S REPONSE TO
DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S COMPLAINT FOR
FAILURE TO COMPLY WITH
AMENDED CASE MANAGEMENT NO. 5**

Plaintiff files this Response to the Motion to Dismiss [DOC 19497] filed by Defendants C.R. Bard, Inc and Bard Peripheral Vascular Inc.

1. On July 13, 2019, the Defendants filed their Motion to Dismiss against Plaintiff Jaime Romero for failure to provide a Plaintiff Profile Form.

2. Before the filing of Defendants' Motion to Dismiss, Counsel for Plaintiff and Counsel for Defendants agreed to engage in settlement talks with all of Curtis Law Group's clients filed in this MDL, which includes Plaintiff Jaime Romero. Pursuant to the Case Management Order no. 42, and agreement between counsel, Plaintiff Jaime Romero was placed in Track 2.

//

3. Plaintiff Jaime Romero completed and return the required Profile Form. The PPF was served on Bard's counsel on July 26, 2019. See **Exhibit A** attached hereto.

WHEREFORE, Plaintiff Jaime Romeo respectfully requests that the Court deny the Defendants' Motion to Dismiss [doc19497] as the parties had previously agreed (prior to the filing of Defendants' motion) to engage in settlement talks (CMO. 42 "Track 2"), and the fact that Plaintiff has submitted the required Profile Form making this issue moot, and for all other just and appropriate relief.

Dated: July 27, 2019

Respectfully submitted,

CURTIS LAW GROUP

/s/ William B. Curtis

WILLIAM B. CURTIS

Texas State Bar No. 00783918

12225 Greenville Avenue, Suite 750

Dallas, TX 75243

Telephone (214) 890-1000

Facsimile (214) 890-1010

Email: bcurtis@curtis-lawgroup.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2019, a copy of the foregoing Plaintiffs' Response to Defendants Motion to Dismiss was filed electronically, and notice of the filing of this document will be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants registered to receive service in this matter. Parties may access this filing through the Court's system.

/s/ William B. Curtis
William Curtis